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REPORT OF THE SECRETARY-GENERAL ON THE ACTIVITIES OF THE INTERNATIONAL CONFERENCE ON THE FORMER YUGOSLAVIA

Peace talks, Athens, 1-2 May 1993

Introduction

1. In my previous report (S/25708), I informed the Security Council that the Co-Chairmen of the Steering Committee, Cyrus Vance and Lord Owen, together with the Co-Chairman-designate, Thorvald Stoltenberg, had decided, on 29 April 1993, to convene a round of peace talks in Athens on 1 and 2 May with the generous hospitality of Prime Minister Mitsotakis and the Greek Government. In addition to Mr. Vance, Lord Owen, and Mr. Stoltenberg, the following leaders headed delegations at the talks:

President A. Izetbegovic (Bosnia and Herzegovina)

President F. Tudjman (Republic of Croatia)

President D. Cosic (Federal Republic of Yugoslavia (Serbia and Montenegro))

President S. Milosevic (Serbia)

President M. Bulatovic (Montenegro)

Mr. M. Boban

Dr. R. Karadzic

The following attended as observers:

Observer from the host Government: E. Karagiannis

Observer from the European Community: B. Weber

Special Envoy: R. Bartholomew (United States of America)

Special Envoy: V. Churkin (Russian Federation)

I. ADDRESS BY PRIME MINISTER CONSTANTINOS MITSOTAKIS

2. On Saturday evening, 1 May, the Prime Minister of Greece, Mr. Mitsotakis, addressed the participants with a strong appeal to them to bring peace to Bosnia and Herzegovina. He urged boldness and courage on the part of the political leaders.

II. OPENING REMARKS BY CYRUS VANCE

3. Following the address of Prime Minister Mitsotakis, Mr. Vance welcomed the participants and expressed the gratitude of the Co-Chairmen to Prime Minister Mitsotakis and his Government for their hospitality. He underlined the critical importance of a positive outcome of the talks and stated: "The time is overdue to act decisively to bring peace to Bosnia and Herzegovina and to begin the reconstruction of the former Yugoslavia ... What is urgently needed now is to bring the plan into force. To do this, Dr. Karadzic needs to sign the remaining two documents of the plan, namely, the provisional provincial map and the agreement on interim arrangements." He noted that the Co-Chairmen had provided clarifications to a number of questions that had been raised and stated: "In the light of the answers given, we are convinced that there is no reasonable ground for any further delay in completing the signing of the peace plan."

III. FACTORS RELEVANT TO THE IMPLEMENTATION OF THE PEACE PLAN

4. Lord Owen then made a statement in which he noted that during recent discussions with all the parties, the Co-Chairmen had provided explanations and amplifications on various aspects of the peace plan. The text of this statement is reproduced in annex I. The text of Lord Owen's remarks was distributed to the participants. Also distributed with it was a paper on the concept for the Northern Corridor, which is reproduced in annex II.

5. At the second session of the peace talks, held on Sunday, 2 May, Mr. Vance, speaking on behalf of the Co-Chairmen, provided additional amplifications on the concept of the Northern Corridor, which are reproduced in annex III.

6. On 2 May the Co-Chairmen wrote a letter to President Izetbegovic, Mr. Boban, and Dr. Karadzic on the status of the above-mentioned explanations and amplifications, the text of which is reproduced in annex IV.

IV. SIGNING OF THE PEACE PLAN

7. On 2 May Dr. Karadzic signed the Agreement on Interim Arrangements and the provisional provincial map. At the time of signing, he made and signed a statement, the text of which is reproduced in annex V.

8. Following Dr. Karadzic's signing of the above-mentioned documents, the Co-Chairmen called upon the participants to do their utmost for its faithful implementation. They called for maximum military restraint and urged the Bosnian sides to observe a cessation of hostilities throughout Bosnia and Herzegovina.

9. The participants paid a warm tribute to Cyrus Vance for his enormous contribution to the pursuit of peace in the former Yugoslavia.

Concluding observations

10. The completion of signature of the peace plan marks a decisive moment in efforts to stop the conflict in Bosnia and Herzegovina. Everything possible must now be done to bring the peace plan into force and to implement it in accordance with its letter and spirit.

Annex I

Statement by Lord Owen on behalf of the Co-Chairmen

During my recent discussions with all the parties in Belgrade and Zagreb, we focused on many aspects of the peace plan. I believe it would help all the parties if I were now to repeat some of the points of clarification that arose during this trip.

Interim arrangements

The agreement on interim arrangements, annex I of the Secretary-General's report of 26 March 1993, document S/25479, is in the view of the Co-Chairmen fully consistent with constitutional principle 4, which has been signed by all the parties and states:

> "All matters of vital concern to any of the constituent peoples shall be regulated in the Constitution, which as to these points may be amended only by consensus of these constituent peoples; ordinary governmental business is not to be veto-able by any group."

This is made very clear in annex I, A. Interim Presidency and Interim Central Government, in paragraph 1 of which it states:

> "in the direct aftermath of hostilities, when a consensus amongst the three constituent peoples is the only acceptable basis for reaching any fundamental decisions, the interim Presidency and Interim Government shall function on a coalition basis."

> "In signing this agreement we are asking as section I, paragraph 5, of the Secretary-General's report of 26 March (S/25479) makes clear, that all sides should 'concentrate on agreeing on specific arrangements for the interim period'."

Procedures inside the Interim Presidency

Annex I of S/25479, Agreement on interim arrangements, states in paragraph 4:

> "The Interim Presidency shall take its decisions by consensus of nine, or by a qualified majority of seven, or by a simple majority of five, depending on whether the decision relates to a constitutional principle, to a specially important question, or to normal business of the Presidency. If the members of the Interim Presidency are unable to agree on the applicable majority, they shall consult the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia (the 'Co-Chairmen') whose decision shall be binding."

I was asked if I could indicate in advance whether the rules of procedure for operating the Interim Presidency would be a decision taken by consensus of

the nine members and my instant response was that it would be, but I checked with Mr. Vance and he agreed without demur that this would be our decision.

Interim President

In discussions over the rotating Interim President, where each of the constituent peoples will hold the Interim Presidency for six months, a fear was expressed that if elections were held after a year, one of the constituent peoples would not be able to hold the position of Interim President. I think it might help to put this issue in perspective if I remind you what was said on 12 March 1993 in the Secretary-General's report, document S/25403, paragraph 20:

> "During the period between the entry into force of the peace settlement and the holding of free and fair elections, there is a need for an interim institutional mechanism so that the country can function effectively. The drafting of a new Constitution for the Republic of Bosnia and Herzegovina is expected to take months. Also, it is very likely to take more than a year for the many refugees and displaced persons to return to their homes. Nevertheless, free and fair elections must be held within two years; the date will be fixed by the Interim Presidency in consultation with the Co-Chairmen."

It is the view of the Co-Chairmen that elections will not be held for at least 18 months and that therefore all three constituent peoples will have the opportunity to hold the Interim Presidency.

Withdrawal of forces

After consulting the Force Commander, General Wahlgren, it has been explained to all the parties at both the political and the military level that, when forces withdraw under the plan to named provinces and where they have been protecting villages and towns where their own constituent people are in the majority, they will be replaced by UNPROFOR and not by opposing forces. Nevertheless, the administration and in particular the police forces in the areas from which they have withdrawn shall, as stated in section G of annex I to S/25479, "be controlled by the Interim Provincial Governments or by local authorities under them, and shall reflect the proportions of the constituent peoples in the respective provinces." UNCIVPOL's principal task, as is made clear in section H, paragraph 5, "would be to monitor the police of the Provinces so that each: has an appropriately balanced ethnic composition; [and] does not oppress members of minority ethnic groups". It is important also to remember that minorities in any province will have access to the service of their own ombudsmen appointed to cover the whole of Bosnia and Herzegovina who shall be supported by adequate staff and facilities at provincial level, particularly in a province where another constituent people is in the majority.

The provisional provincial map

It needs to be stressed that the reason for referring to the boundaries of the provinces as "provisional" is that the final boundaries will be adopted by

consensus by the parties for the new Constitution in the framework of the International Conference on the Former Yugoslavia. It will be perfectly possible for the parties in the improved atmosphere associated with the cessation of hostilities and in the spirit of cooperation hopefully built up during the period of interim coalition government to negotiate amongst themselves changes to the provincial boundaries.

In addition, the Conference will have before it recommendations from the Boundary Commission (section B). The Commission shall receive and, if necessary, hear evidence from those people who feel they are adversely affected by the proposed provisional provincial boundaries. The Commission is empowered to consider only marginal changes and its decisions will be adopted by consensus. But it does introduce an important area of flexibility and it will be possible for villages or towns that feel they have been wrongly placed on one side or other of the provisional boundary to have their positions reviewed.

The capital city of Sarajevo will exceptionally have its provisional boundaries specifically referred to the Boundary Commission for review (section C) and there is no marginal qualification made to the text. In this case "any agreed changes will be introduced prior to implementing the new Constitution."

It is the view of the Co-Chairmen that these arrangements provide for considerable flexibility in the defining of the provincial boundaries; also the Constitution will no doubt provide for a mechanism whereby boundaries could be changed at some future date after adoption of the Constitution by consensus.

Northern Corridor

One of the most controversial issues between the parties has been the concern about free access from Banja Luka Province to Bijeljina Province. The main road through Posavina and Tuzla Province will be a United Nations-throughway controlled not by the provincial police but by UNPROFOR and with an area of 5 kilometres on either side of the road demilitarized under the responsibility of UNPROFOR. A paper describing the detailed arrangements approved by the UNPROFOR Force Commander whereby UNPROFOR propose to control the road has already been circulated to the parties to demonstrate how they will guarantee free passage along the road and is attached to this explanation in annex II. In this regard, it should be noted that ever since 19 February 1993, under Security Council resolution 807 (1993), UNPROFOR has been acting under Chapter VII of the Charter of the United Nations and the Force Commander has given assurances that there will be consultations amongst the parties prior to deploying United Nations forces to control the Northern Corridor. All of these matters will be specifically covered and put for the endorsement of the Council in the resolution on implementation arrangements.

Also, as in relation to the demilitarization of Sarajevo (annex V, page 28 of S/25403 of the Agreement for Peace in Bosnia and Herzegovina), a Joint Commission Chaired by UNPROFOR will oversee the implementation of the arrangements for the Northern Corridor. This will mean that all three of the parties will be represented on the Commission and can bring before it any alleged violations.

International Access Authority

The Agreement on Interim Arrangements provides in section I for the Interim Presidency to establish an International Access Authority in order to implement principle 3 of the Agreed Constitutional Principles and to allow full freedom of movement between and within the Provinces and "also to and from the Provinces to the Republic of Croatia and to the Republic of Serbia. It is intended that the Authority be in operation as soon as possible during the interim period. Following the conclusion of the package, all designated throughways shall come under the responsibility of UNPROFOR; thereafter there will be a period of overlapping responsibility of UNPROFOR and the Authority, during which UNPROFOR'S involvement will be phased out and its responsibilities assumed by traffic police employed by the Authority."

I would draw attention to the fact that other throughways have also provided assurance, particularly that between Gorazde and Cajnice. The Blue Routes are also important, particularly that between Pale and Zvornik.

In Zagreb and Belgrade I had preliminary discussions as to whether or not it would be possible to extend the International Access Authority to related roads and railways in Croatia, Serbia and Montenegro. Such a development depends on discussions between their Governments and is outside the context of the interim agreement and therefore of this peace plan.

Nevertheless, the Co-Chairmen hope that in the margins of this Conference, it might be possible to hold some further discussion about this wider concept with the Governments concerned to see if there is a possible basis for agreement.

I hope that with these clarifications it will now be possible for the Bosnian Serb delegation to agree to sign the two outstanding documents, the interim agreement and the provisional provincial map, and thereby ensure with these two additional signatures that we have the 12 signatures necessary for full endorsement of the peace plan.

Once the peace plan has been agreed in full by all the parties, we as Co Chairmen shall report to the Secretary-General, who has then been requested by the Security Council to report at the earliest possible date on proposals for the implementation of the peace plan. On the passing of a Security Council resolution on implementation, the peace plan will start to operate.

In the meantime, we hope all three parties on signature will agree to join the Coordination Body which was established recently in Zagreb to work together in the spirit of the peace plan as far as circumstances will allow before the stage of formal implementation and the start of the Interim Presidency.

Annex II

Concept for the Northern Corridor

The Northern Corridor will consist of the internationally controlled throughway linking Banja Luka Province and Bijeljina Province and a demilitarized zone extending 5 kilometres either side of the throughway in the territory of Bosnia and Herzegovina.

The demilitarized zone concept includes:

- Adherence to the broad principles for the cessation of hostilities agreed by all parties and included in S/25221 (annex I).

- Implementation of the measures to separate forces and withdraw heavy weapons agreed by all parties and included in S/25221 (annex IV).

- The implementation of a zone extending in Bosnia and Herzegovina territory for 5 kilometres either side of the throughway in which no military force's personnel, equipment or installations, other than those of United Nations forces, will be authorized.

Demilitarized zone measures will include:

- Patrolling by the United Nations implementation force to ensure compliance by all parties.

- Other than United Nations forces, the only personnel allowed to carry arms in the demilitarized zone will be provincial civil police officers on duty. The only arms these officers will be authorized to carry will be personal sidearms (handguns). Provincial police officers will have no powers on the northern throughway.

The throughway concept is:

- A security guarantee initially by UNPROFOR and later the International Access Authority to all parties traversing Posavina and Tuzla Province via Brcko to ensure non-interference with and protection of personnel and material using the throughway.

- No interference on the throughway. No provincial police will be able to stop any vehicle and if they have any complaint about speeding or other matters, they would have to notify an UNPROFOR Patrol or later an International Access Authority Police.

- Checkpoints, patrols and monitoring, along the length of the throughway, initially by the United Nations implementation force and then a period of joint working with the International Access Authority Police.

- The supervised inspection at the entry points at each end of the throughway by the United Nations force.

- Freedom of passage of humanitarian aid.

- Freedom of movement for United Nations forces.

Throughway measures will include:

- Timings: the throughway will be open at all times. United Nations forces and International Access Authority Traffic Police will use the throughway at any time and have total authority over maintenance, sign posting and other technical matters.

- Access for civilians: all civilians, regardless of sex, age or ethnic origin but provided they are carrying no weapons or ammunition will be allowed to use the throughway. Private and commercial vehicles will also be permitted to use the throughway. All will be subject to the inspection measures outlined below.

- Access for humanitarian aid: all international and local humanitarian aid agencies will be allowed to use the throughway.

- Checkpoints: the only authorized checkpoints will be those established and manned by the United Nations force. Provincial authorities will not be permitted to impose their own checkpoints on the throughway. Checkpoints will initially, as a security measure for users, be open only during daylight hours for non-United Nations traffic.

- Inspection procedures: inspections will be conducted by the United Nations force at checkpoints.

- Inspections may be carried out on all users of the throughway, including humanitarian convoys.

- War-related material: the carriage or transport of all weapons, ammunition or other war-related material will not be permitted without a licence issued by the United Nations Force Commander or International Authority Agency Officer responsible for the throughway. Licences will only be issued for the arms and ammunition appropriate for and destined to civil police forces. All non-licenced war-related material will be turned back at the entrance or escorted back to the point of entry.

- Escorts: traffic may initially, as a security measure for users, move through a checkpoint and along the throughway by United Nations-escorted convoy only.

- Patrols: the throughway will be patrolled by the United Nations force or International Access Authority official police vehicles which have appropriate communications.

Implementation time-frame. The United Nations will, in line with "Agreement on Peace" signed by all three parties, aim to erect checkpoints and

reconnoitre the throughway by D+1, then open the throughway for civilian through traffic by no later than D+15.

International Access Authority. An International Access Authority will be established as part of the process for implementing interim arrangements for Bosnia and Herzegovina. Details were included in the United Nations Secretary-General's report to the Security Council of 2 February 1993 (S/25221). One of the Authority's tasks will be to take on sole responsibility for all roads declared as internationally controlled throughways. A period of overlapping responsibility is envisaged for the United Nations force and that of the Access Authority. This transfer of authority will only be completed by agreement of all those involved in the Access Authority.

The United Nations Implementation Force. The Northern Corridor will be one of the highest priorities for the United Nations Force tasked to implement the Vance-Owen peace plan for Bosnia and Herzegovina. The Northern Corridor will be the highest standing priority for the United Nations formation tasked to be responsible for the Posavina and Tuzla Province. This United Nations formation will be specially selected for its capability to undertake this task.

The broader context. With the agreement of the Republics of Croatia and FRY (Serbia and Montenegro), the International Access Authority's role would broaden. Its existing responsibility for all rail routes in Bosnia and Herzegovina, including in the Northern Corridor the important routes from Banja Luka to the border at Bosanski Samac and from Tuzla to the border at Brcko, would extend to include the links between these routes and the Zagreb-to-Belgrade rail route and to the railway through Knin to the coast in Croatia. Similarly, its responsibility for roads would extend from the international crossing points at Bosanska Gradiska and Orasje to the links between these roads and to Belgrade along the autoput.

Annex III

Statement by Cyrus Vance

Athens, Greece, 2 May 1993

Last night it was suggested that it would be helpful for the parties to have further clarification of the penultimate paragraph of the "Concept for the Northern Corridor", annexed to Lord Owen's statement of yesterday (1 May 1993) to this Conference on behalf of the Co-Chairmen. The Co-Chairmen fully recognize the need to provide clear assurance of the security of the population in the areas concerned. Some of the fiercest fighting in the war has taken place around Brcko and, sadly, is still continuing. We urge all the parties to start to show the same restraint in this area as has been recently shown in some other strongly contested areas.

With a cease-fire established and increased freedom of movement, the task of securing the throughway through Posavina and Tuzla Province will be accorded highest priority along with the demilitarization of Sarajevo Province. This means that as soon as the cessation of hostilities takes place elements of existing UNPROFOR forces already deployed in Bosnia and Herzegovina will be tasked to quickly redeploy to the Northern Corridor, in order to ensure free movement of traffic as put forward in the framework of this Conference and detailed in the Concept Paper. Additional forces, provided under a new mandate to be approved by the Security Council, would also be deployed to the Northern Corridor without delay. It is envisaged that these forces would be armoured infantry, capable of mobile operations and possessing sufficient combat power to ensure that they can carry out their task. The final concept of operations will be developed by the responsible military commander. But these forces, continuing to act under the provisions of Chapter VII of the United Nations Charter, will be tasked to maintain a strong presence along the throughway and throughout the demilitarized zone, in the form of checkpoints, patrols and escorts. An effective mobile reserve would also be provided to ensure that the forces will be able to react to unforeseen or hostile developments.

The force will be composed of high-calibre troops capable of conducting sustained mobile and forceful action if required. It is our view that the force should include highly professional contingents from North America, Western Europe and the Russian Federation.

It is the Co-Chairmen's considered view that this substantial and specific commitment of international military resources will effectively assure the freedom of movement, and thus the overall security, of the inhabitants of the areas concerned.

Annex IV

Letter of 2 May 1993 from the Co-Chairmen to the leaders of the three Bosnian delegations

Dear ...,

A great responsibility lies upon the leaders and representatives of the three constituent peoples to prevent further bloodshed, and to begin the reconstruction of Bosnia and Herzegovina. Peace will not only put an end to further killings, but will also allow the return of refugees and displaced persons to their homes.

At our meetings in Athens on 1 and 2 May, the Co-Chairmen provided clarifications and answers to questions that had been raised with them about the content and implementation of the United Nations/European Community peace plan. The statements made by the Co-Chairmen are attached.

The purpose of this letter is to confirm that the above-mentioned statements of the Co-Chairmen form part of the official records and involve the full authority of the International Conference on the Former Yugoslavia. As has always been the case, the Secretary-General of the United Nations would reflect the discussions and the documents in his report to the Security Council on the deliberations of the Athens round of the peace talks. These documents will also form the basis for the future work of the International Conference, will guide the drafting of the future constitution for Bosnia and Herzegovina, and will also provide guidance to the commanders and personnel of UNPROFOR.

Yours sincerely,

Cyrus Vance Thorvald Stoltenberg David Owen

Annex V

Statement by Dr. Karadzic, 2 May 1993, Athens

By signing the Vance-Owen peace plan (the nine principles, the military agreement, the maps of the proposed provinces and the document on the interim period), the delegation of the Republic of Srpska states the following:

1. Our signature on the proposed documents will become invalid and will be considered null and void unless the following condition is met:

The Assembly of the Republic of Srpska meeting on Wednesday, 5 May supports the decision of their delegation taken here in Athens on 2 May 1993.

2. After the meeting of the Assembly of the Republic of Srpska and if they support the peace plan, we will be ready to nominate three people to sit on the Coordination Body to work together in the spirit of the peace plan. There are a number of issues which we will wish to raise including those related to the provisional provincial map and the work of the Boundary Commission.

3. We are issuing this statement concurrent with our signing of today's documents and are handing it over to the International Conference on the Former Yugoslavia with the request that it be included and attached with the official documents of the Conference.

Athens, 2 May 1993

Delegation for the Government of the Republic of Srpska

Radovan Karadzic
President of the Republic of Srpska

Witnessed by

Cyrus Vance David Owen Thorvald Stoltenberg

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S/25710
3 May 1993

ORIGINAL: ENGLISH

LETTER DATED 30 APRIL 1993 FROM THE CHARGE D'AFFAIRES A.I.
OF THE PERMANENT MISSION OF YUGOSLAVIA TO THE UNITED NATIONS
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I am writing to you in connection with the letters of Mr. Muhamed Sacirbey, dated 17 and 27 April 1993 (S/25624 and S/25670), addressed to you.

The above-mentioned letters belong to a series of concoctions which inundate the United Nations on a daily basis with a view to presenting deliberately distorted facts and continuing a slander propaganda campaign against the Federal Republic of Yugoslavia. The allegations of "aggression and participation" of the armed forces of the Federal Republic of Yugoslavia on the territory of Bosnia and Herzegovina are not only falsehoods but a part of a broader scenario aimed at provoking foreign military intervention.

We cannot but categorically reject such attempts since they cannot lead to peace but can only exacerbate the situation.

I should be grateful if you would have the present letter circulated as a document of the Security Council.

(Signed) Dragomir DJOKIĆ
Ambassador
Chargé d'affaires a.i.

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3 May 1993

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LETTER DATED 30 APRIL 1993 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF YUGOSLAVIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Upon instructions from my Government, in connection with the letters of the Permanent Representative of Albania to the United Nations of 24 and 27 April 1993 (S/25662 and S/25672) addressed to you, I have the honour to point out the following.

The substance of these communications represents a flagrant interference in the internal affairs of a sovereign State Member of the United Nations.

The false and unwarranted accusations contained in the letters about the alleged "aggression of Serbia" and "explosive situation" in Kosovo and Metohija, came as no surprise to us since the Albanian authorities over a long period of time have been waging a campaign against the Federal Republic of Yugoslavia which borders on hysteria. Its major goal is to further encourage secessionist and terrorist forces in Kosovo and Metohija, an integral part of the Republic of Serbia and the Federal Republic of Yugoslavia, by provoking incidents in the border area thus generating an atmosphere of instability and anxiety in the region. The ultimate objective of such policies is the creation of "Greater Albania" which is to include parts of the territory of the Federal Republic of Yugoslavia and its other neighbour States.

We categorically reject that the Republic of Serbia is being accused of "hostile acts and aggression" against Kosovo and Metohija and find it absolutely absurd that a sovereign State can be confronted with a charge of attacking its own territory. By stating that "the spill-over of the conflict is imminent", Albania is actually confirming its unscrupulous designs and territorial aspirations towards Kosovo and Metohija, which is historically the cradle of the Serbian State and Serbian nationhood. The threats of the Albanian authorities that they "will not remain indifferent", cannot be understood but as an open call to arms and interference in the affairs of a sovereign State. Precisely such policies and irresponsible statements on the part of the Republic of Albania contribute to the destabilizing of the situation in the Balkan region as a whole.

By insisting on "the ethnically Albanian character" of Kosovo and Metohija and "the undeniable integrity of the region", the Albanian authorities are

openly laying claims on the territory of a neighbour State, which can only be qualified as an attempt at annexation.

The Constitution of the Federal Republic of Yugoslavia guarantees, in compliance with the international documents, the highest standards in the field of the protection of civil and human rights, including the rights of national minorities. All citizens of the Federal Republic of Yugoslavia regardless of their national, religious or any other origin, are ensured full equality in the exercise of their rights. Members of national minorities, like all other citizens of the Federal Republic of Yugoslavia, enjoy equal protection of life and personal and property security. The Government of the Federal Republic of Yugoslavia and the Republic of Serbia are fully capable of maintaining peace and security in its entire territory, including Kosovo and Metohija. Only foreign interference and instigation of terrorist secessionist activities can bring about unrest and instability in the area.

The "concern" of Albania for the welfare of the Yugoslavs of Albanian origin in the past decade, which for years has had one of the worst human rights records in the world, is not a legitimate one but a front for supporting terrorists and separatists in Kosovo and Metohija. This policy of Albania and the support of some other countries in this respect constitutes a direct threat to the political stability of the region and adversely affects the ongoing attempts to resolve the existing tensions. In that connection, we most categorically reject Albania's unfounded insinuations on the need to deploy United Nations troops in Kosovo, as absurd and unacceptable interference in the internal affairs of the Federal Republic of Yugoslavia with a view to destabilizing a sovereign and independent State. Regrettably, despite the change of the political system in Albania, interference and fuelling of secessionist aspirations, as well as border incidents, have continued.

Concerning the allegations contained in the letter of 27 April 1993 (S/25672), we would like to inform you of the three incidents which occurred at the Yugoslav-Albanian border on 25 and 27 April 1993.

The first incident took place on 25 April 1993 at 9 p.m. in the area of Prizren, near the border stone D-10/11. At approximately 250 metres from the border, in Yugoslav territory, the Yugoslav patrol intercepted five Albanian nationals who had illegally crossed the border. Having failed to heed the warnings, the intruders physically attacked the officers who confronted them. The five Albanians were killed in the ensuing conflict.

On the next day, the local Yugoslav-Albanian Joint Commission for Sector 5 conducted an on-the-spot investigation. Although the deceased were not in possession of any documents, with the assistance of the Albanian representatives, their identities have been established as follows: Mensur (Skender) Sula, Hisen (Aslan) Surli, Etem (Tot) Sula, Mersin (Hisen) Sula and Behar (Adem) Afizi, all from the Kuks county.

It was agreed that the bodies of the deceased be turned over to the Albanian authorities on 27 April 1993 at the Vrbnica border crossing.

The second incident took place on 25 April 1993 around 8.30 p.m. in the area of Djakovica, close to the C-2/10 border stone, 70 metres inside Yugoslav

territory. The Yugoslav border patrol came across two unidentified persons. Since they ignored the warnings, the patrol opened fire, killing one and taking the other person in custody. The next day, the Local Joint Commission for Border Incidents, following an investigation, established the identity of the deceased as Dermisi (Adem) Astri, age 20. The detainee's name was Dermici (Hadzi) Fatmir. It was agreed that the body of the deceased and the detainee be handed over to the Albanian authorities at the Cafa Prusit border crossing.

The third incident took place on 27 April 1993 at 1.30 a.m. in the area of Djakovica, in the vicinity of the C-11/6 border stone. Two persons, so far unidentified, were killed after confrontation with the Yugoslav border patrol. One of them is believed to be an Albanian and the other a Yugoslav national.

In all those incidents, the Yugoslav patrols strictly adhered to the rules of engagement for the border law enforcement officers.

The Albanian Government has taken advantage of those unfortunate incidents to heighten the tensions in the region. We would like once again to point out that those incidents occurred as a consequence of Albania's failure to honour its international commitments to guard its borders through pre-emptive action and thus prevent illegal crossing of its nationals to the territory of the Federal Republic of Yugoslavia and consequently avoid such tragic incidents.

Regrettably, the Albanian side has not been responsive to the appeals and warnings from the Yugoslav side so that illegal crossings and border incidents with tragic consequences have continued to occur.

The Federal Republic of Yugoslavia wishes to emphasize, this time again, that the Albanian side should fulfil its commitments undertaken under bilateral agreements and honour international standards which regulate State border regime by taking all necessary measures with a view to preventing its citizens from illegally crossing into the territory of the Federal Republic of Yugoslavia.

We are confident that safety on the border can be promoted and the border incidents eliminated or limited as much as possible, which would be mutually beneficial for Yugoslav-Albanian relations, as well as for the entire region.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Dragomir DJOKIC
Ambassador
Chargé d'affaires a.i.

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3 May 1993

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LETTER DATED 3 MAY 1993 FROM THE PERMANENT REPRESENTATIVE OF ARMENIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit to you the statement of the Ministry of Foreign Affairs of the Republic of Armenia regarding the escalation of Azerbaijani military activities in Armenia's border areas in recent days.

I should be grateful if you would circulate this as a document of the Security Council.

(Signed) Alexander ARZOUMANIAN
Permanent Representative

Annex

Statement dated 1 May 1993 of the Ministry of Foreign Affairs of the Republic of Armenia regarding the encroachment of the Azerbaijani forces into the border regions of the Republic of Armenia

Starting in the early morning of 1 May, Azerbaijan initiated large-scale military operations against the Republic of Armenia.

Divisions of the Azerbaijani army, using different weaponry including heavy artillery, have shelled the populated border areas of the Sisian, Yeghegnadzor, Kapan and Krasnoselsk regions of the Republic of Armenia. During the entire day of 1 May, Azerbaijani forces have also heavily shelled the villages of Voskepar, Barekamavan, Koti, and Voskevan of the Noyemberian region. Five civilians have been killed and one injured.

At the same time, one Azerbaijani division, in violation of the borders of the Republic of Armenia near the village of Dovigh penetrated into Armenian territory. The border troops of the Republic of Armenia have repelled the aggressors.

Thus, instigating the escalation of tension at the Armenian-Azerbaijani borders, and initiating offensive operations, Azerbaijan has violated the cease-fire in the region established during the past few days.

The Azerbaijani Republic is fully responsible for the escalation of the military operations. Such behaviour is in violation of the appeal of the United Nations Security Council resolution which calls for the cessation of military activities and the immediate resumption of CSCE-sponsored negotiations, and is intended to lead to the failure of the processes emanating from Security Council resolution 822 (1993).

The Ministry of Foreign Affairs of the Republic of Armenia expresses the hope that the United Nations, the CSCE, and other international organizations, will henceforth take into account the consequences of the Azerbaijani policies on the peace process and make their judgements about the Azerbaijani policies accordingly.

The discrepancy between the Azerbaijani rhetoric and its actual behaviour shows that by giving in to Azerbaijani demands, the international community is encouraging Azerbaijan in its militaristic policies. All the while, Azerbaijan continues to show total disrespect towards the norms of international law and the resolution of the United Nations.

The escalation of military operations immediately after the adoption of the United Nations resolution once again proves the necessity of an immediate resumption of negotiations, which must give priority to the establishment of a cease-fire guaranteed by the international community and supervised by international monitors.

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3 May 1993

ORIGINAL: ENGLISH

LETTER DATED 3 MAY 1993 FROM THE PERMANENT REPRESENTATIVE OF ARMENIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit to you the statement of the Ministry of Foreign Affairs of the Republic of Armenia regarding United Nations Security Council resolution 822 (1993) of 30 April 1993.

I should be grateful if you would circulate this as a document of the Security Council.

(Signed) Alexander ARZOUMANIAN
Permanent Representative

Annex

Republic of Armenia, Ministry of Foreign Affairs

Statement on United Nations Security Council resolution 822 (1993)

The Ministry of Foreign Affairs of the Republic of Armenia considers United Nations Security Council resolution 822 (1993) on the Nagorny Karabagh conflict adopted on 30 April 1993, a step towards greater involvement on the part of the United Nations in the negotiating process related to the conflict of Nagorny Karabagh.

The Ministry of Foreign Affairs of Armenia welcomes the Security Council resolution to the extent that it reflects the position of Armenia, which considers the cessation of hostilities leading to a durable cease-fire, and the immediate resumption of negotiations within the CSCE framework the only way to find a peaceful resolution of the problem, including the complications related to the Kelbajar issue.

The call in the resolution for the unimpeded access of humanitarian assistance efforts in the region is equally important.

The Ministry of Foreign Affairs finds that some of the formulations in the resolution do not correspond to the views of the Government of Armenia. The Permanent Mission of Armenia to the United Nations has already communicated these differences to the President and members of the Security Council.

The Government of Armenia is hopeful that this resolution will compel Azerbaijan to return immediately to the negotiating table in order to accelerate and strengthen the process of instituting a cessation of hostilities and a durable cease-fire for the sake of a peaceful resolution of the Nagorny Karabagh conflict.

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GENERAL ASSEMBLY
Forty-seventh session
Agenda item 143
THE SITUATION IN BOSNIA
AND HERZEGOVINA

SECURITY COUNCIL
Forty-eighth year

Letter dated 30 April 1993 from the Permanent Representative of Pakistan to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the resolution on the situation in Bosnia and Herzegovina adopted at the Twenty-first Islamic Conference of Foreign Ministers, held at Karachi, Islamic Republic of Pakistan, from 25 to 29 April 1993 (see annex).

I would appreciate it if you would kindly have the text of the present letter and its annex circulated as a document of the forty-seventh session of the General Assembly, under agenda item 143, and of the Security Council.

(Signed) Jamsheed K. A. MARKER
Ambassador
Permanent Representative

ANNEX

Resolution adopted at the Twenty-first Islamic Conference of Foreign Ministers, held at Karachi, Pakistan, from 25 to 29 April 1993

The situation in Bosnia and Herzegovina

(Proposed by the Islamic Republic of Pakistan, the Republic of Turkey, the Islamic Republic of Iran, the Arab Republic of Egypt, the Kingdom of Saudi Arabia, the Republic of Senegal and Malaysia)

The Twenty-first Islamic Conference of Foreign Ministers, held at Karachi, Islamic Republic of Pakistan, from 4-8 Zul Qadah 1413H (25 to 29 April 1993),

Proceeding from the principles and objectives of the Charter of the Organization of the Islamic Conference, which emphasize the commitment of Islamic Ummah to the consolidation of international peace and security,

Bearing in mind the obligation of all States to act in conformity with the principles and purposes of the Charter of the United Nations,

Reaffirming particularly the obligation of all States to refrain from the threat or use of force in their international relations,

Expressing its alarm at the horrifying situation in the Republic of Bosnia and Herzegovina arising from Serbian aggression and the acts of crime and genocide perpetrated by the Serbs,

Recalling resolutions No. 1/5-EX and 1/6-EX on the situation in Bosnia and Herzegovina, adopted respectively at Istanbul and at Jeddah by the Fifth and Sixth Extraordinary Sessions of the Islamic Conference of Foreign Ministers, as well as the relevant provisions of the Final Declaration of the Meeting of the Bureau of the Sixth Islamic Summit Enlarged to the Chairmen of the Standing Committees, held at Dakar,

Recalling also all the relevant resolutions adopted by the United Nations Security Council and the General Assembly regarding Bosnia and Herzegovina, particularly Council resolution 757 (1992) and Assembly resolution 46/242 of 25 August 1992 and 47/121 of 18 December 1992,

Welcoming United Nations Security Council resolution 808 (1993), which stipulates the establishment of an international tribunal for the prosecution of persons responsible for serious violations of international humanitarian law committed in the territory of the former Yugoslavia,

Further welcoming United Nations Security Council resolution 816 (1993), which authorizes the Member States, acting nationally or through regional organizations or arrangements, to take all necessary measures in order to enforce the no-fly-zone over the airspace of the Republic of Bosnia and Herzegovina,

Taking into account with appreciation all the ongoing diplomatic efforts for restoring peace in Bosnia and Herzegovina,

Gravely concerned, however, over the fact that the Serbian side is utilizing the negotiating process to consolidate its territorial acquisitions and to obstruct the Security Council from authorizing the use of force to secure the implementation of its relevant resolutions,

Deploring vigorously, in this context, the continued non-compliance by Serbia and Montenegro and by the Serbs with all relevant international resolutions and calls made upon them,

Further concerned over the tragic humanitarian situation in the cities and towns under Serbian siege,

Expressing its condemnation on the recent shelling of the town of Srebrenica by the Serbian forces, with the aim of driving the Muslims out of yet another town, as a part of the Serbian "ethnic cleansing" campaign, which is a form of genocide,

Reaffirming that territorial gains or changes brought about by violence are not acceptable,

Commending the Government of Bosnia and Herzegovina for its outstanding flexibility and responsibility as manifested in its acceptance of all the documents negotiated at the peace process,

Welcoming the provisional measures issued by the International Court of Justice, in response to a suit initiated by the Government of Bosnia and Herzegovina,

Affirming that the international community has the responsibility to secure the independence, sovereignty, territorial integrity and unity of Bosnia and Herzegovina, as well as to prevent acts of genocide and of crimes against humanity,

Emphasizing that the deteriorating situation of the Muslims in Bosnia and Herzegovina calls for more international humanitarian assistance coupled with effective measures aimed at providing continuous and unimpeded delivery of the assistance to the needy,

Alarmed that the ongoing conflict in Bosnia and Herzegovina poses a grave risk of spilling over to adjacent areas and beyond and that the aggressor has the intention to spread the conflict,

Further emphasizing that it is and will be necessary to take effective measures to ensure the full and strict implementation of any decision of the United Nations Security Council or the International Conference on the Former Yugoslavia, or agreement reached by the sides concerned,

Convinced that, in view of the current situation, the Republic of Bosnia and Herzegovina has the inherent right of individual or collective self-defence, in accordance with Article 51 of Chapter VII of the Charter of the United

Nations and that the current arms embargo on the Republic of Bosnia and Herzegovina is the major factor impeding the use of the right of self-defence,

Stressing that the situation in Bosnia and Herzegovina warrants the implementation of decisive measures in conformity with the provisions of Chapter VII of the Charter of the United Nations, in particular Article 42,

1. Notes with appreciation the report of the Secretary-General on the situation in Bosnia and Herzegovina (Doc. No. ICFM/21-93/PIL/D.1);

2. Reaffirms the provisions contained in resolution No. 1/5-EX and 1/6-EX on the situation in Bosnia and Herzegovina, adopted by the Fifth and Sixth Extraordinary Sessions of the Islamic Conference of Foreign Ministers, as well as the relevant United Nations Security Council and General Assembly resolutions, in particular General Assembly resolutions 46/242 and 47/121, and demands their immediate implementation;

3. Reaffirms also the decisions of the meeting of the enlarged bureau of the Sixth Islamic Summit, held at Dakar on 11 January 1993;

4. Reaffirms also its commitment to restoring peace in the Republic of Bosnia and Herzegovina as well as safeguarding its unity, sovereignty, political independence and territorial integrity;

5. Strongly condemns the genocidal Serbian aggression against the Republic of Bosnia and Herzegovina and the non-compliance by Serbia and Montenegro and the Bosnian Serb party to the will of the international community, as manifested in the relevant resolutions of the United Nations Security Council, the General Assembly and the Organization of the Islamic Conference;

6. Deplores the breaches of the comprehensive and mandatory sanctions imposed by the Security Council against Serbia and Montenegro, and urges the Security Council to ensure full implementation of its relevant resolutions and especially to prevent supplies reaching Serbia through the Danube River or any other means;

7. Condemns vigorously the massive and flagrant violations of the human rights of the Bosnian people and of international humanitarian law by Serbia and Montenegro and the Bosnian Serbs;

8. Strongly condemns, once again, the abhorrent Serbian policy of "ethnic cleansing" and, in this context, reaffirms the right of all Bosnian refugees to return to their homes under conditions of safety and honour;

9. Requests the Security Council to act decisively and expeditiously under the provisions of Chapter VII of the Charter of the United Nations and to authorize United Nations Member States, in cooperation with the Government of the Republic of Bosnia and Herzegovina, to use all necessary means to uphold and restore the sovereignty, political independence, territorial integrity and unity of the Republic of Bosnia and Herzegovina;

10. Also requests the Security Council to guarantee safe routes for unhindered provision and delivery of international assistance to Bosnia and Herzegovina;

11. Further requests the Security Council to exempt, without any further delay, the Republic of Bosnia and Herzegovina from the arms embargo as imposed on the former Yugoslavia under Security Council resolution 713 (1991);

12. Urges Member States as well as other members of the international community to extend their cooperation to the Republic of Bosnia and Herzegovina in exercise of its inherent right of individual and collective self-defence in accordance with Article 51 of Chapter VII of the Charter of the United Nations, including the supply of arms;

13. Urges the Security Council immediately to take further appropriate measures, including the authorization of the use of force, under Chapter VII of the Charter of the United Nations, to ensure:

(a) Placing of all heavy weapons in the Republic of Bosnia and Herzegovina under effective international physical control or neutralizing them to render them inoperative;

(b) Interdiction of all arms supplies to the Serbs;

(c) Institution of appropriate measures for reparations for the Government of Bosnia and Herzegovina by Serbia and Montenegro;

(d) That Serbia and Montenegro is liable under international law for any direct loss, damage, including environmental damage, or injury to foreign Governments, nationals and corporations, as a result of its aggression against the Republic of Bosnia and Herzegovina;

(e) Imposition of a complete and comprehensive economic blockade against Serbia and Montenegro;

(f) Freezing of all assets abroad of Serbia and Montenegro.

14. Calls upon Member States that have not yet done so to sever all economic and commercial ties with Serbia and Montenegro;

15. Decides that Member States would jointly seek the formal expulsion of the Federal Republic of Yugoslavia (Serbia and Montenegro) from the United Nations and all its agencies, organs, bodies and programmes;

16. Requests the Member States to take appropriate measures, individually and collectively, in accordance with the Charter of the United Nations, against those States which are wilfully violating the United Nations sanctions against Serbia and Montenegro;

17. Decides to request the reconvening of the United Nations General Assembly session on Bosnia and Herzegovina in case the Security Council is unable to deal effectively with the Serbian aggression against Bosnia and Herzegovina;

18. Notes with appreciation the ongoing efforts of the Office of the United Nations High Commissioner for Refugees, the United Nations Protection Force and other international humanitarian agencies in providing humanitarian assistance to the people of Bosnia and Herzegovina;

19. Requests the United Nations and other relevant international organizations to consider urgently the introduction of safe areas in addition to those specified in Security Council resolution 819 (1993), in close consultation with the Government of the Republic of Bosnia and Herzegovina in the existing humanitarian effort to supply relief goods through road convoys and airlifts;

20. Urges the Member States and the international community to contribute finances and personnel for implementing the decisions of the Security Council to uphold and restore the sovereignty, political independence, territorial integrity and unity of the Republic of Bosnia and Herzegovina;

21. Requests the Security Council to act immediately to close all detention and concentration camps in Serbia and Montenegro and Bosnia and Herzegovina established by the Serbs and, until implementation, to assign international observers to these camps;

22. Requests that the International Committee of the Red Cross be granted free access to all detention camps established by Serbs in Serbia and Montenegro and in Bosnia and Herzegovina and to all persons imprisoned in these camps and that all prisoners be notified of it without delay;

23. Calls for full respect by all parties of the Humanitarian Plan of Action adopted in the framework of the London Conference on 27 August 1992 and, notably, calls for the immediate release of prisoners in accordance with the agreement signed at Geneva under the auspices of the International Committee of the Red Cross on 1 October 1992;

24. Warns once again the Serb and Montenegrin authorities as well as all persons who commit or order the commission of breaches of international humanitarian law in the Republic of Bosnia and Herzegovina that they are individually responsible in respect of such breaches and will be punished for war crimes in accordance with the Geneva Conventions;

25. Requests the United Nations to expedite the establishment of a representative international war crimes tribunal to try and punish those who are guilty of genocide, crimes against humanity and war crimes in the Republic of Bosnia and Herzegovina;

26. Expresses its appreciation to those States and international institutions which have provided humanitarian assistance to the people of the Republic of Bosnia and Herzegovina, and appeals to all Member States to contribute generously towards alleviating their sufferings, including assistance to refugee centres for Bosnian refugees in neighbouring countries;

27. Emphasizes the importance of cooperation among all parties in Bosnia and Herzegovina against the Serbian aggression;

28. Urges the Security Council to adopt effective measures to prevent any further aggravation of the extremely tense situation in Kosovo, Vojvodina, the Sanjak and the Republic of Macedonia;

29. Commends the work of the Organization of the Islamic Conference Contact Group on Bosnia and Herzegovina at the United Nations, in New York, and requests it to continue its work;

30. Urges those Member States who have not yet established full diplomatic relations with Bosnia and Herzegovina to do so immediately;

31. Decides to dispatch a mission at ministerial level, drawing from the members of the Contact Group of the Organization of the Islamic Conference, comprising the current Chairman, the outgoing Chairman, the representative of the Chairman of the Sixth Islamic Summit and the Secretary-General of the Organization of the Islamic Conference, to the capitals of the permanent members of the Security Council to explain the provisions of the present resolution and to seek their agreement for the necessary follow-up action in the Council;

32. Requests the Secretary-General to follow up the implementation of the resolution and to report to the Coordination Meeting of the Foreign Ministers of the Organization of the Islamic Conference in New York and to the next Islamic Conference of Foreign Ministers.

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Forty-seventh session
Agenda item 45
QUESTION OF CYPRUS

SECURITY COUNCIL
Forty-eighth year

Letter dated 3 May 1993 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General

With reference to the letter dated 29 April 1993 from the Permanent Representative of Turkey to the United Nations with regard to the incident that took place in the territorial waters of the Republic of Cyprus on 28 April 1993 (A/47/935-S/25692), I have the honour to transmit to you herewith the text of the statement issued by the Government of the Republic of Cyprus on 28 April 1993 (see annex), which contains the relevant facts and effectively refutes the unfounded allegations contained in the said letter and its annex.

I should be grateful if the text of the present letter and its annex could be circulated as a document of the forty-seventh session of the General Assembly, under agenda item 45, and of the Security Council.

(Signed) A. J. JACOVIDES
Ambassador
Permanent Representative of the
Republic of Cyprus to the
United Nations

ANNEX

Statement issued on 28 April 1993 by the Government of Cyprus

At 9.40 a.m. today a police patrol boat, while on a routine mission within the territorial waters of the Cyprus Republic six miles south of the region of Zygi in the Larnaca district, came across a cargo ship that was on a 100° south-easterly course. The ship had no flag and its name was covered with paint. On account of this it was suspected of carrying narcotics or of carrying out other forms of illicit trade. The patrol boat approached within 20 metres of the ship and called on it repeatedly, through loudspeakers, in Greek and English, to stop. The patrol boat also called it on wireless Channel 16 and attracted its attention by blowing its siren.

In spite of all this, the ship failed to respond and continued on its course. Following that, the patrol boat went around the ship in order to force it to stop and tried again at least to communicate with it over the wireless. But the ship continued at full speed, estimated at 10 nautical miles per hour. As a consequence of this, the Commander of the police patrol board ordered warning shots to be fired above the bridge of the ship. This occurred at 10.25 a.m. In spite of all this as well, the ship continued on the same steady course. When the ship was about 17 miles beyond the territorial waters of the Republic, the patrol boat, on instructions, stopped its surveillance. On earlier instructions from Police Headquarters, the patrol boat had stopped its pursuit of the ship. The Cyprus Police Headquarters informed INTERPOL of the matter immediately.

During the last phase of the surveillance the police patrol boat was joined by another patrol boat of the Republic.

Around 12.00 noon, the British High Commissioner in Cyprus communicated with the Foreign Minister, Mr. Alecos Michaelides, with whom he talked about the incident, informing him that there were two Turks wounded on the ship and asking whether aid could be given to them by helicopter. The Foreign Minister gave his permission for the British Military Authorities to use helicopters from the British bases in Cyprus for the transport of the wounded, either to Cypriot hospitals, which were alerted in the meantime, or to the Akrotiri British military hospital, if this were deemed more practical.

At the same time the police patrol boats were ordered to cease their pursuit of the ship since it was already outside Cyprus' territorial waters. The pursuit stopped at 12.05 p.m.

A helicopter with a medical doctor aboard from the British bases went to the ship. The doctor advised the transportation of the wounded to a hospital, but the wounded refused to board the helicopter and the ship continued on its course.

The Cyprus Republic has not only the right but also the obligation to maintain surveillance and to inspect its coasts and its territorial waters for possible illegal trafficking in narcotics or arms. Systematic inspection is also carried out for ships moving suspiciously within the territorial waters of Cyprus.